

House Republican Press Release

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We Need a Law to Protect Property Rights



By State Rep. Jack Stone, R-134th

Virtually nothing is more fundamental to the American political system than the right to own property. Owning our own home is central to the American dream. In America, our home is our castle.

In the wake of a June 23 U.S. Supreme Court ruling in a New London case, that fundamental aspect of American life is thrown into jeopardy throughout Connecticut. We must take action now to reaffirm this basic right once and for all.

If the legislature won't pass a statewide law, then towns can do it on their own. The community of Milford, population 54,000, by unanimous vote of the city council has already taken action. Why not Fairfield?

The 5-4 court decision that a home can be taken for private development gives government tremendous power that most people never thought could happen. The high court ruled that New London can seize peoples' homes for a private developer to build a hotel complex. This injustice should not stand.

Connecticut House Republicans have proposed for two years to limit this expansion of government power. The reform legislation received a public hearing this year on March 3, but the legislative majority took no further action.

It's time to act now in special session and not wait for the dust to settle. The way the state House and Senate work, it could be the middle of next year before they pass some voluminous bill that would include dozens of ifs, buts and maybes.

Our approach is simple: delete six lines in state statutes that allow the use of eminent domain for profit-making private development. If necessary, government can still take property for essential public uses, such as schools, roads or sewers. We would not change that.

This has become an emotionally wrenching issue for homeowners in New London who have lived there for many years and cannot replace the memories and the history that make their house a home. It is a problem likely to recur in more and more cities and towns.

Our proposal would place safeguards against the taking of individuals' homes for private development. Our legislation would clarify for all the state what has become a disturbing issue.

Property could not be taken for economic development. Increased municipal tax revenue should not be an excuse for taking one's home.

Justice Sandra Day O'Connor, in writing for the dissent, was particularly forceful in suggesting this decision could lead to horrendous results. Cities and towns can now embark on aggressive land grabs and transfer people's homes to developers in the name of enhancing municipal tax revenues.

We have the opportunity and responsibility to address this matter that has put our state on the newspaper front pages and national talk shows from coast to coast.

We must limit the ability of government to take property simply for economic gain. California, for example, does not permit the taking of property for private development, unless it is within a designated blighted area. Utah enacted a law that prevents taking property and giving it to private developers.

The U.S. Supreme Court invites Connecticut to change its law to protect homeowners' rights. It is time for elected officials to stand up for the average working people of the state. It's time to show that we represent the people and not the big developers.

We should speak up now for the little guy, the family that has worked hard to buy their largest asset, the typical Connecticut homeowner.

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